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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,
vs.
ERIC MONSIVAIS,
Defendant.

Case Nos. 2:13-cr-00368-JAD-VCF

**ORDER GRANTING GOVERNMENT'S
MOTION TO DISMISS INDICTMENT
AGAINST ERIC MONSIVAIS**

ECF No. 217

Certification: This motion is timely filed.

The government moves for leave of Court to dismiss the indictment against Eric Monsivais. The indictment charges Monsivais with Count One: *Child Exploitation Enterprise*, in violation of 18 U.S.C. § 2252A(g); Count Three: *Conspiracy to Produce Child Pornography*, in violation of 18 U.S.C. § 2251(e), and Count Five: *Conspiracy to Distribute Child Pornography*, in violation of 18 U.S.C. § 2252A(a)(3) and (b)(1). The government believes that in the interest of justice the indictment should be dismissed. Accordingly, pursuant to the Federal Rule of

1 Criminal Procedure 48(a), the government moves for leave of Court to dismiss without
2 prejudice the indictment against Monsivais.¹

DATED this 26th day of March, 2021.

Respectfully submitted,

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Christopher Burton
CHRISTOPHER BURTON
Assistant United States Attorney
District of Nevada

ORDER

Good cause appearing, the Government's Motion to Dismiss [ECF No. 217] is GRANTED. The indictment is dismissed without prejudice against Defendant Eric Monsivais.

U.S. District Judge
March 29, 2021

²⁴ ¹ Similarly, the government moves to dismiss the pending forfeiture allegations as against Monsivais.